



TOWN OF WILLSBORO
OFFICE OF THE SECRETARY FOR PLANNING AND ZONING BOARD

MINUTES
PLANNING BOARD MEETING
DATE: September 26th, 2017 at 7:00 PM
LOCATION: Willsboro Town Hall

Present: Chairman, William Bardeen Board Members: James Leibeck, Tess Grubb, John Sucharzewski, Robert Powell

Excused: Wayne Feeley

Member of the Public: Josh & Melanie Palmer, Spencer K. Hathaway, Jeff Wisell, Michael Darst, Gary & Barbara Doty, Theresa Cummings, Bob Kaleita, Kevin Hall, Shari Groves, Jan Localio, Chris Jage (TNC)Douglas Rock(Codes Enforcement Officer)

Vice Chairman Bardeen called the meeting to order at 7:01 pm

MINUTES: Tabled

PUBLIC HEARING:

--Josh Palmer—34 Dane Lane—30.8-1-11.002—RM-2—Commercial Application/ Storage Units

Before the public hearing was opened Bardeen mentioned that there were emails sent in favor of the Palmer project and also a letter sent in by the Doty's opposing the project. Doug briefly states that the Palmer's have an application in for a special use permit for a self storage facility on Dane lane near the railroad tracks in a residential medium density district that allows business use requiring a special use permit. Bardeen stated that this special use permit was followed by a minor subdivision that the planning board approved last month.

Bardeen opened the public hearing:

Public Comments: Jeff Wisell, Owner of 25 Dane Lane, realtor states he is opposed due to the project depreciating the value of his home which lies directly across from where the storage units will be located. He mentioned the property he owns was once commercial and to revert back to the area being commercial doesn't make since. Michael Darst, also Owner of 25 Dane Lane states that his along with others main concern is a safety issue due to the intersection of Dane Lane and Route 22 where people come down the mountain at 55 plus mph. He states that residents are cautious when using Dane Lane where as for non residents or people not familiar with the area would not be sensitive to being cautious when pulling on the road. Shari Grove, Owner of 17 Dane Lane, spoke on behalf of her and her mother, Sue Wade, Owner of 40 Dane Lane, Shari stated that her concern is whether he would keep up with what he pledges to do. She stated her concerns about her

mother's property with excess snow piling. She is highly opposed. Gary Doty, Owner of Doty's Self Storage on Essex Road, states that in the area the Palmers want to build is residential not commercial and also that he is very knowledgeable about this subject due to owning a self storage unit. He stated there is going to be a great increase in traffic and there is no guarantee of the types of people that are renting the units, some are great and others are not. He also mentioned that there really isn't a need for another self storage in Willsboro, he has full capacity almost all of the time with occasional vacancies but never has a waiting list, and they are at market level now. He admits it will hurt his business but there is now need for another unit. Josh Palmer, Owner of 34 Dane Lane, and also of the neighboring property where Mr. Palmer would like to put the storage units. Josh states he works for the Town of Willsboro Highway department; he is in charge of plowing Dane Lane where they used to plow all snow out of 40 Dane Lane until they were told to stop plowing the drive way so they stopped. As for the turn-around Josh says the town has a 20 feet right of way from the center of the road, also if there is not turn-around on the road for the plow trucks the road will go unplowed. As far as affecting someone else's property value, he believes his investment that he purchased and pays taxes for shouldn't be swayed or stopped because it affects someone else's property. He mentioned he takes very good care of his property at 34 Dane Lane and will do the same for the self storage property. He will enforce the daytime hours to the best of his ability.

Chairman Bardeen closed the Public Hearing.

--Josh Palmer—34 Dane Lane—30.8-1-11.002—RM-2—Commercial Application/ Storage Units

The board discussed the Palmer Case. Bardeen mention the board brought this to public hearing because we interpreted the RM-2 Zoning Law which was passed in 2015 which included the Special Use of office, professional and business. The only thing not well defined in this law is the term "business". Mr. Doty believes this is defined as a warehouse. Bardeen interpreted this project as Palmers "business" and he is also sympathetic to the fact of safety and to the diminishing the value of homes on the dead end road. He is also sympathetic to the Palmers and their desire to improve their situation. John Sucharzewski pointed out that he feels there is a need for this business in town and that the Palmers have done their work in researching and coming up with a plan for this project and also that if requested by the Planning board to put up some sort of tree screen to make this works with their neighbors that they would follow through. Mr. Sucharzewski is in favor of this project. Tess Grub is opposed to this project due to the Zoning ordinance and in having to get a Special Use permit that shows this really isn't the right place for this business. Rob Powell stated that when he first picked up the plans and application, he thought it was a terrific idea. As he inspected this property and turned around on this road looking at the house across the road he said he thought to himself if that was his property he would not want it by that house. He believes that Palmers should be able to use this property to make an income but does not believe it should negatively affect his neighbors when doing so. In the Zoning Law page 5 this is commercial use, a storage unit as described. Powell is opposed. James Leibeck believes this business is low impact business and with him being a business first person he says everyone is against new businesses. We have to grow as a community and is definitely in favor of this project. Chairman Bardeen talked about the Comprehensive plan and the great concern is economic development. His perspective is if there is a need for storage units they should be in the commercial district. Due to the 2 voting for and 2 voting against, Bardeen mentioned proposing a motion. Doug interrupted and asks to make a motion to get an interpretation on the "business" use in the RM-3 district from the Zoning board of Appeals and part 2 of the motion would be to get a proposal from the applicant for screening from

the residential properties. Bardeen stated this is a punt the football approach which gets the board out of making a decision tonight.

(Rock/Leibeck) Doug made a 2 part motion, part 1 is to get an interpretation on the "business" use in the RM-3 zoning district from the Zoning Board of Appeals part 2 would be to get a proposal from the applicant for screening from the residential properties. Rock moved Leibeck seconded. All in favor, Grubb and Powell Opposed, making the vote 4 in favor 2 against, the motion carried.

NEW BUSINESS:

--The Nature Conservancy/Eaton Centers Co. LLC---3766 Main Street---31.13-4-7.000---GB---
Minor Subdivision

Bardeen briefly stated that there have been many failed attempts to sell the old IGA building, the price has drastically dropped. The Nature Conservancy has come in and offered to acquire the entire property and subdivide it and give the old building and part of the parking lot to the Town of Willsboro or the Willsboro Development Corporation or whoever it may be with intended use once the subdivision is completed. Chris Jage with TNC spoke on behalf of Eaton Centers and the nature conservancy. The property is currently under contract. Chris stated that the Nature Conservancy isn't in the business of supermarkets and/or commercial buildings so the thought was to work with the town and the WDC for that piece of the property to find a suitable home. The project that has come before them was a group that wants to open a public work shop called a Maker's Space. There have been many workshops to get this all together. The additional 10 acres will be used by the TNC. Powell mentioned parking for the Old IGA building and the Nature Conservancy, Chris stated that there will be a shared agreement for a combined/shared parking lot, Flex parking. Tess asked for a little more information on the agency that is looking at the building. Chris states they are currently a non-profit but looking to become for profit, they are called the Maker's Guild. The proposal is to grant the request for a minor subdivision that carves out an acre including the store from the entire 11 acre parcel.

(Powell/Grubb) A motion was made to approve the minor subdivision. Powell moved, Grubb seconded. All in favor, motion carried.

--Marcia Bierce---313 Corlear Drive --11.17-1-49.000---RL-1---24x24 Addition

Doug briefed the board stating this is an application for a site plan review of the Bierce addition, 24x 24 connected to the existing cottage by a screen room making it a single structure. They already have a permit for an onsite waste water system to accommodate both structures. It's a modest size, narrow lakefront lot that attaches to a larger parcel across the road with a total of .7 acre well under the lot coverage. Grubb's concern is the underground utilities. Bob Kaleita states that the utilities that are underground are not going to be a big deal to dig around. Bardeen asked if the structure will have a foundation, Kaleita replied that it will have a monolithic slab. A site plan review was conducted, Powell discussed the site plan review criteria form findings.

*Attached is the site plan criteria form

(Powell/Grubb) A motion was made to approve the 24x24 addition site plan review application. Powell moved, Grubb seconded. All in favor, motion carried.

--JC Wyatt---194 Cedar Lane---20.20-1-1.000---RL-1---Bunk House

There has not yet been a site plan review on this property. Doug discussed that this is another guest house situation, the application does not have enough information to determine the square footage

of the proposal. It is required to be 50% or less of the enclosed floor space. Spencer Hathaway stated that the proposed bunk house is 50% or less of the enclosed floor space. There will be electricity. The board decided that there need to be a full application that shows the square footage, the connection to the septic system, the size of the septic system, more dimensions of the property, how the bunk house is connected to the leach field, and elevations. John Sucharzewski mentioned that there have been multiple people that have filled out site plan review application and have thought that the information they provided was sufficient and then to find out that it's not and maybe we could find a better way to get the application filled properly and/or a better updated application. The board required Mr. Hathaway to provide a better application with the amount of stories, square footage, and number of bed rooms, all the septic system information, elevation, setbacks, electrical line, and property dimensions.

--Richard Hill—304 Corlear Drive—11.17-1-45.100—RL-1—New Construction

Mr. Hill has requested to build a new residence. The board had a small discussion on the combining of the 2 properties, that there are people with deeded access, also to which lot will be buildable, and that there are multiple owners of one of the lots. No decision was made.

--Brian Smith—68 Sabousin Drive ---11.17-1-21.200—RL-3—New Garage

Mr. Smith has looking to build a new 24x28 garage with electric and water. The board has not done a site plan review. The board discussed the application and moved it to the site plan review stage with a lot of questions.

OLD BUSINESS: No Old Business

ADJOURNMENT:

Chairman Bardeen called for a motion to adjourn the meeting at 9:02 pm. Bardeen moved to adjourn. Grub seconded. All in favor, motion carried.

Respectfully Submitted

Codia Crandall
Secretary for Planning and Zoning Board

Site Plan Review – Design Considerations

Name: Marsha Bierce

Date: 9/24/17

1. Location, arrangement, size, design, and general site compatibility of buildings, lighting, and signs. No elevation drawings accompanied this application. The proposed 24' x 24' structure is the same size as the existing camp and is connected to the camp by a screened porch thereby creating a single unit. The side yard set backs are adequate and are the same as the existing camp. Our approval is based on the proposed addition being a single story structure as is the camp.
2. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers, and traffic controls. Acceptable.
3. Location, arrangement, appearance and sufficiency of off-street parking and loading. Acceptable.
4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience. Acceptable.
5. Adequacy of storm water and drainage facilities. Acceptable.
6. Adequacy of water supply and sewage disposal facilities. There is town water. There will be new engineered three bedroom septic system that connects with the original camp. It was noted that the proposed location crosses a buried cable.
7. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation. Acceptable.
8. Adequacy of fire lanes and other emergency zones and to provision of fire hydrants. Not applicable.
9. Special attention to the adequacy and impact of structures, roadways, and landscaping in areas susceptible to ponding, flooding, and/or erosion. Acceptable.
10. Overall impact on the neighborhood including compatibility of design consideration. This is a benefit to the neighborhood. One primary structure has been created. The entire unit is connected to a new septic system.
11. Impact on the natural environment, historical site significance, predominant local land use, cultural significance, and dominant architectural style. Not applicable.